AMENDMENT

In the claims:

Please amend the claims as follows:

1. (Original) An isolated nucleic acid molecule comprising the nucleotide sequence of SEQ ID NO:1.

2. (Original) An isolated nucleic acid molecule comprising a nucleotide sequence encoding the amino acid sequence shown in SEQ ID NO:2.

3. (Original) An isolated nucleic acid molecule comprising the nucleotide sequence of SEQ ID NO:3.

4. (Original) An isolated nucleic acid molecule comprising a nucleotide sequence encoding the amino acid sequence shown in SEQ ID NO:4.

5. (New) A recombinant expression vector comprising a nucleic acid molecule encoding the amino acid sequence shown in SEQ ID NO:4.

6. (New) The recombinant expression vector of claim 5, wherein said nucleic acid molecule comprises the nucleotide sequence of SEQ ID NO:3.

7. (New) The recombinant expression vector of claim 5, wherein said nucleic acid molecule encodes the amino acid sequence shown in SEQ ID NO:2.

8. (New) The recombinant expression vector of claim 7, wherein said nucleic acid molecule comprises the nucleotide sequence of SEQ ID NO:1.

9. (New) A host cell comprising the recombinant expression vector of claim 5.

RESPONSE

I. Restriction Requirement

The Examiner has determined that the original claims are directed to two separate and distinct inventions under 35 U.S.C. § 121, as follows:

Group I: Claims 1 and 2, said to be drawn to isolated DNA molecules encoding a human kinase having SEQ ID NO:2, classified in class 435, subclass 194; and

Group II: Claims 1 and 2, said to be drawn to isolated DNA molecules encoding a human kinase having SEQ ID NO:4, classified in class 435, subclass 194.

II. Response to Restriction Requirement

Applicants submit that the Group I and II inventions should be put together into a single group, since the nucleotide sequence of SEQ ID NO:1 also comprises the nucleotide sequence of SEQ ID NO:3, and thus encodes **both** SEQ ID NO:2 and SEQ ID NO:4. No additional search burden is required to search SEQ ID NO:1 and SEQ ID NO:3, since a search of the longest sequence (SEQ ID NO:1, which encodes SEQ ID NO:2), corresponding to the Group I invention, will necessarily also search the shorter sequence (SEQ ID NO:3, which encodes SEQ ID NO:4), corresponding to the Group II invention.

Therefore, in response to the Requirement, Applicants hereby traverse the Restriction Requirement with regard to the Group I and II inventions. However, solely in order to comply with the provisions of 37 C.F.R. § 1.143, Applicants provisionally elect to prosecute the claims of the Group I invention (claims 1 and 2), drawn to isolated DNA molecules encoding a human kinase having SEQ ID NO:2, classified in class 435, subclass 194.

Applicants reserve the right to refile claims to the non-elected invention in one or more future applications retaining the priority date of the present case and the earlier cited priority applications.

III. Status of the Claims

No claims of the Group I or II inventions have been cancelled. No claims have been amended. New claims 5-9 have been added.

Claims 1-9 are therefore presently pending in the case.